

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JAMES KLEINBROOK,

Plaintiff,

v.

No. 1:24-cv-00894-SCY

RIO RANCHO POLICE DEPARTMENT,
FNU LNU, Chief of Rio Rancho Police Department,
UNIVERSITY OF NEW MEXICO MEDICAL HOSPITAL and
FNU LNU, Chief Executive Officer of UNM Medical Hospital,

Defendants.

ORDER REGARDING COMMUNICATION WITH THE COURT

On September 18, 2024, the Court received an email from Plaintiff requesting that documents regarding this case be emailed to Plaintiff and implying that Plaintiff did not receive email service of the September 17 Memorandum Opinion and Order. *See* Attachment 1.

Generally, *pro se* litigants are held to the same standards of professional responsibility as trained attorneys. It is a *pro se* litigant's responsibility to become familiar with and to comply with the *Federal Rules of Civil Procedure* and the *Local Rules of the United States District Court for the District of New Mexico* (the "Local Rules").

Guide for Pro Se Litigants at 4, United States District Court, District of New Mexico (November 2019). The Local Rules, the Guide for Pro Se Litigants and a link to the Federal Rules of Civil Procedure are available on the Court's website: <http://www.nmd.uscourts.gov>.

Attorneys and *pro se* parties are prohibited from all *ex parte* communication with the judge or judge's staff. *Ex parte* communication occurs when one of the parties to a lawsuit exchanges information with the assigned judge (1) without the opposing party being present, or (2) without the knowledge and consent of the opposing party.

Any communication between the assigned judge and a *pro se* litigant should be in writing, and a copy of the communication should be sent to the opposing party or, if represented, to that party's attorney. The letter to the judge should indicate that

a copy has been sent to the opposing party. Telephone or personal contact with the judge's staff should be limited to specific scheduling inquiries.

Guide for Pro Se Litigants at 11-12.

Unless otherwise directed, all communication to the court should be addressed to the Clerk of Court, United States District Court, District of New Mexico, using the address for the division [Albuquerque, Las Cruces or Santa Fe] where the subject case has been assigned.

Guide for Pro Se Litigants at 5 (providing the Albuquerque, Las Cruces and Santa Fe addresses).

The Court's CM ECF system automatically emailed Plaintiff the September 17 Memorandum Opinion and Order that is the subject of his email. If Plaintiff is not receiving orders by email, Plaintiff should elect mail service. Out of an abundance of caution, the Clerk of Court has sent Plaintiff the Memorandum Opinion and Order via USPS to Plaintiff's address provided when he filed the complaint. If Plaintiff desires further relief, Plaintiff must file a motion that complies with the Federal and Local Rules of Civil Procedure. Plaintiff's response to the Court's Order to Show Cause, Doc. 6, and his amended complaint remain due on October 8, 2024. Failure to timely show cause and file an amended complaint may result in dismissal of this case.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE